

REMARKS

Claims 1-13, 15-17 and 19-29 are pending in this application. The Office Action withdraws claims 20-24 as being drawn to a non-elected invention; objects to the specification; objects to claims 14 and 18; rejects claims 1-19 and 25-28 under 35 U.S.C. §112, second paragraph; and rejects claims 1-19 and 25-28 under 35 U.S.C. §103(a). By this Amendment, the specification is amended; claims 1, 3-6, 20 and 25-26 are amended; claims 14 and 18 are cancelled; and new claim 29 is added. Support for the amendments to claims 1, 4, 5 and 20 may be found in the present specification at, for example page 3, lines 3-8, all other claims are amended merely for formalities. Support for new claim 29 may be found in the specification at, for example, Fig. 2(c). No new matter is added.

I. Objections to the Specification

The specification is objected to for formalities. By this Amendment, the specification is amended at page 4, lines 4-6 and page 5, lines 2-4 in accordance with the Office Action's suggestions. However, the specification at page 8, line 16 correctly uses the word "abut" to mean "to touch along a border," this is not a misspelling of the word "about."

Reconsideration and withdrawal of the objection are respectfully requested.

II. Claim Objection

Claims 14 and 18 are objected to as being in improper dependent form for failing to further limit the subject matter of a previous claim. Without admitting the propriety of the objection, and in the interest of advancing prosecution, claims 14 and 18 are cancelled.

Reconsideration and withdrawal of the objection are respectfully requested.

III. Rejections under 35 U.S.C. §112, second paragraph

Claims 1-19 and 25-28 are rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite.

Without admitting the propriety of the rejection, and in the interest of advancing prosecution, independent claims 1, 4, 5 and 20 are amended to recite "any of... or..." instead of "any of... and..." as suggested by the Office Action.

Reconsideration and withdrawal of the rejection are respectfully requested.

IV. Rejections under 35 U.S.C. §103(a)

A. Yoshinaga in view of Otaki and Travnicek

Claims 1, 6-8, 11, 14-15 and 18-19 are rejected under 35 U.S.C. §103(a) as having been obvious over Yoshinaga (JP 01-231082) in view of Otaki (JP 2002-236439) as evidenced by Travnicek (U.S. Patent No. 3, 996, 187). Applicants respectfully traverse the rejection.

Applicants respectfully submit that Yoshinaga in view of Otaki as evidenced by Travnicek does not teach or suggest all the features of amended independent claim 1. Specifically, Yoshinaga in view of Otaki as evidenced by Travnicek at least fails to teach or suggest that "the optical material layer has a wave-like thickness unevenness and the organosilicon resin layer... corrects the wave-like unevenness to optically uniform." See the present specification at, for example, page 3, lines 3-8. Instead, Yoshinaga merely teaches a holographic film that is flat. See, for example, Fig. 1. Neither Otaki nor Travnicek provide any reason or rationale for substituting the flat holographic film taught by Yoshinaga with one that has a wave-like thickness unevenness.

Accordingly, independent claim 1 would not have been obvious over the applied references for at least the reasons discussed above. Dependent claims 6-8, 11, 15 and 19 would therefore also not have been obvious for at least the reason that independent claim 1 would not have been obvious. Dependent claims 14 and 18 are cancelled.

Reconsideration and withdrawal of the rejection are respectfully requested.

B. Yoshinaga in view of Otaki and Travnicek, in further view of Penn

1. Claim 2

Claim 2 is rejected under 35 U.S.C. §103(a) as having been obvious over Yoshinaga in view of Otaki as evidenced by Travnicek, and further in view of Penn (U.S. Patent No. 3,897,995). Applicants respectfully traverse the rejection.

Applicants respectfully submit that Penn does not cure the deficiencies of Yoshinaga in view of Otaki as evidenced by Travnicek, as discussed above. Specifically, Penn nowhere teaches or suggests using a layer having "a wave-like thickness unevenness" instead of the flat layer taught by Yoshinaga.

Accordingly, dependent claim 2 would not have been obvious over Yoshinaga in view of Otaki as evidenced by Travnicek, and further in view of Penn for at least the reason that independent claim 1 would not have been obvious over Yoshinaga in view of Otaki as evidenced by Travnicek.

Reconsideration and withdrawal of the rejection are respectfully requested.

2. Claims 4, 9, 12, 16, 25 and 27

Claims 4, 9, 12, 16, 25 and 27 are rejected under 35 U.S.C. §103(a) as having been obvious over Yoshinaga in view of Otaki and Penn, as evidenced by Travnicek. Applicants respectfully traverse the rejection.

Applicants respectfully submit that Yoshinaga in view of Otaki and Penn, as evidenced by Travnicek does not teach every feature of amended independent claim 4. Specifically, Yoshinaga in view of Otaki and Penn, as evidenced by Travnicek at least fails to teach or suggest that "the optical material layer has a wave-like thickness unevenness and the organosilicon resin layer... corrects the wave-like unevenness to optically uniform." Instead, as discussed above, Yoshinaga merely teaches a holographic film that is flat. See, for example, Fig. 1. Neither Otaki, Travnicek nor Penn provide any reason or rationale for

substituting the flat holographic film taught by Yoshinaga with one that has a wave-like thickness unevenness.

Accordingly, independent claim 4 would not have been obvious over the applied references for at least the reasons discussed above. Dependent claims 9, 12, 16, 25 and 27 would therefore also not have been obvious for at least the reason that independent claim 4 would not have been obvious.

Reconsideration and withdrawal of the rejection are respectfully requested.

C. Yoshinaga in view of Otaki and Travnicek, in further view of Inokuchi

1. Claim 3

Claim 3 is rejected as having been obvious over Yoshinaga in view of Otaki as evidenced by Travnicek, and further in view of Inokuchi (JP 2002-236439). Applicants respectfully traverse the rejection.

Applicants respectfully submit that Inokuchi does not cure the deficiencies of Yoshinaga in view of Otaki as evidenced by Travnicek, as discussed above with respect to independent claim 1. Specifically, Inokuchi nowhere teaches or suggests using a layer having "a wave-like thickness unevenness" instead of the flat layer taught by Yoshinaga.

Accordingly, dependent claim 3 would not have been obvious over Yoshinaga in view of Otaki as evidenced by Travnicek, and further in view of Inokuchi for at least the reason that independent claim 1 would not have been obvious over Yoshinaga in view of Otaki as evidenced by Travnicek.

Reconsideration and withdrawal of the rejection are respectfully requested.

2. Claims 5, 10, 13, 17, 26 and 28

Claims 5, 10, 13, 17, 26 and 28 are rejected under 35 U.S.C. §103(a) as having been obvious over Yoshinaga in view of Otaki and Travnicek, and further in view of Inokuchi. Applicants respectfully traverse the rejection.

Applicants respectfully submit that Yoshinaga in view of Otaki and Travnicek, and further in view of Inokuchi does not teach or suggest all the feature of amended independent claim 5. Specifically, Yoshinaga in view of Otaki and Travnicek, and further in view of Inokuchi at least fails to teach or suggest that "the optical material layer has a wave-like thickness unevenness and the organosilicon resin layer... corrects the wave-like unevenness to optically uniform." Instead, as discussed above, Yoshinaga merely teaches a holographic film that is flat. See, for example, Fig. 1. Neither Otaki, Travnicek nor Inokuchi provide any reason or rationale for substituting the flat holographic film taught by Yoshinaga with one that has a wave-like thickness unevenness.

Accordingly, independent claim 5 would not have been obvious over the applied references for at least the reasons discussed above. Dependent claims 10, 13, 17, 26 and 28 would therefore also not have been obvious for at least the reason that independent claim 5 would not have been obvious.

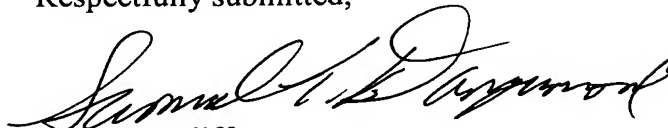
Reconsideration and withdrawal of the rejection are respectfully requested.

V. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the application are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachment:

Petition for Extension of Time

Date: October 27, 2008

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